

February 6, 2006

To: Marlene H. Dortch, Secretary Federal Communications Commission 445 12<sup>th</sup> Street, S.W. Washington, D.C. 20554

Re: Certification of CPNI Filing – February 6, 2006 In EB Docket No. 06-36 EB-06-TC-060

Dear Ms. Dortch,

Transmitted herein in accordance with the Commission's Public Notices in DA 06-223 and DA 06-258 released respectively on January 30, 2006 and February 2, 2006 is the customer proprietary network information (CPNI) Compliance Certificate for Data Net Systems, L.L.C. (Data Net Systems). As instructed in EB Docket No. 06-36, Paragraph 64.2009(e) of the Commission's Rules, and consistent with Section 222 of the Communications Act of 1934, as amended, the Compliance Certificate includes an Officer Certification and accompanying CPNI Statement. This certification and statement represent Data Net Systems' CPNI compliance activities for the year ended December 31, 2005.

Please contact me on (847) 808-0288 x112 with any questions you might have.

Sincerely,

Edward F. Kilb

Vice President of Operations and Corporate Secretary

Data Net Systems, L.L.C.

Cc: Byron McCoy, byron.mccoy@fcc.gov

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**Enclosures** 





# **OFFICER CERTIFICATION**

## Certification of CPNI Filing – February 6, 2006

EB Docket No. 06-36 EB-06-TC-060

I, Edward F. Kilb, hereby certify that I am an Officer of Data Net Systems, L.L.C. (Data Net Systems).

I have personal knowledge that Data Net Systems has established operating procedures that are adequate to ensure compliance with the customer proprietary network information (CPNI) rules set forth in Part 64 of the Federal Communications Commission's (FCC's) Rules (47 C.F.R. §§ 64.2001 through 64.2009). The accompanying CPNI Statement explains how Data Net Systems' operating procedures ensures its compliance to the aforementioned FCC Rules.

I am submitting this CPNI Statement for the year ended December 31, 2005.

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Edward F. Kilb	
Vice President - Operations and Secretary	
Office Held	
02/06/2006	
Date	





### CPNI STATEMENT

#### Certification of CPNI Filing – February 6, 2006

## EB Docket No. 06-36 EB-06-TC-060

- Data Net Systems, L.L.C. (Data Net Systems) has established operating procedures that ensure compliance with the regulations of the Federal Communications Commission (FCC) regarding the protection of customer proprietary network information (CPNI).
- Data Net Systems has implemented internal procedures to educate and train employees about CPNI and the disclosure of CPNI. Data Net Systems has established disciplinary procedures for any employee that wrongfully discloses CPNI. Data Net Systems also ensures that vendors that have access to customer CPNI are aware of the CPNI rules.
- Data Net Systems does not use CPNI without customer notification as set forth by the FCC in 47 U.S.C. §222, and 47 C.F.R. §§ 64.2001through 64.2009. Data Net Systems provides either an optin notice or an opt-out notice when appropriate and maintains the customers choice. Therefore, the customer's approval status can be determined prior to use of CPNI.
- Data Net Systems maintains records of their own and their affiliates' sales and marketing
  campaigns that use customer CPNI. Also, Data Net Systems maintains records each time third
  parties are allowed access to CPNI. These records include a description of each campaign, the
  specific CPNI used, and which products and services were offered. These records are retained for
  a period of at least one year.
- Data Net Systems requires sales personnel to obtain supervisor approval of all outbound marketing requests for customer approval and maintains records of compliance for at least one year.
- Data Net Systems will provide written notice within five business days to the FCC for any instance where the opt-out methods do not work properly; to such a degree that the customer's inability to opt-out is more than an anomaly.

